

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:22-cv-23342-WILLIAMS

UNITED STATES OF AMERICA,

ex rel.

WADE RINER,

Plaintiff/Relator,

vs.

HUNTERS RUN PROPERTY OWNERS

ASSOCIATION, INC., *et al.*,

Defendants.

ORDER OF DISMISSAL OF
DEFENDANT THE LOXAHATCHEE CLUB, INC.

The United States having intervened in this action as to Defendant The Loxahatchee Club, Inc. for the purposes of settlement (DE 29), pursuant to Fed. R. Civ. P. 41(a)(2) and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States and Relator have filed an Agreed Motion to Dismiss Defendant The Loxahatchee Club, Inc. Upon consideration of the Motion, and the papers on file in this action,

IT IS HEREBY ORDERED that Defendant The Loxahatchee Club, Inc.:

(1) is dismissed with prejudice to the United States and Relator for the Covered Conduct set forth in the and in accordance with the terms and conditions of the October 18, 2023 Settlement Agreement among the United States, The Loxahatchee Club, Inc., and Relator Wade Riner (the “Loxahatchee Settlement Agreement”);¹

¹ The Agreed Motion to Dismiss states that the Loxahatchee Settlement Agreement defined the term “Covered Conduct” as:

F. The United States contends that it has certain civil claims against The Loxahatchee Club[, Inc. (“The Loxahatchee Club”)] arising out of The Loxahatchee Club’s ineligibility to apply for and receive The Loxahatchee Club’s PPP Loan, and ineligibility to apply for and receive forgiveness of The Loxahatchee Club’s PPP Loan, because non-profit entities organized under section 501(c)(7) of the Internal Revenue Code were not eligible for Paycheck Protection Program loans when The Loxahatchee Club received The Loxahatchee Club’s PPP loan. The United States further contends that due to ineligibility, The Loxahatchee Club must return the PPP funds that The Loxahatchee Club received for the Loxahatchee’s PPP Loan, the interest thereon, and the lender fees the SBA paid relating to The Loxahatchee Club’s PPP Loan. All conduct relating to The

(2) is dismissed with prejudice to the Relator and without prejudice to the United States for any conduct other than the Covered Conduct set forth in the Aberdeen Settlement Agreement.

Counsel for the United States shall distribute a copy of this Order to counsel for The Loxahatchee Club, Inc.

This Case remains pending as to all Defendants who have not been dismissed through this Court's Orders.

DONE AND ORDERED in Chambers within the United States District for the Southern District, Florida this ____ day of _____, 202__.

KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT JUDGE

Loxahatchee Club's PPP Loan between March 27, 2020 and April 21, 2021, and the conduct in this paragraph is referred to below as the "Covered Conduct."